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4 UNITED STATES DISTRICT COURT
5 NORTHERN DISTRICT OF CALIFORNIA

6
7 VERINATA HEALTH, INC., et al.,

8 Plaintiffs,

9 v.

10 ARIOSA DIAGNOSTICS, INC, et al.,

11 Defendants.

Case No. [12-cv-05501-SI](#)

**ORDER RE MOTION TO STRIKE
PORTIONS OF THE EXPERT REPORT
OF DR. CANTOR**

Re: Dkt. No. 518

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13 Plaintiffs Illumina, Inc. and Verinata Health, Inc. move to strike portions of defendant
14 Ariosa Diagnostic, Inc.'s expert Dr. Charles Cantor's report based on collateral estoppel. Dkt. No.
15 518. In particular, plaintiffs seek to strike Dr. Cantor's opinion that U.S. Patent Publication No.
16 2002/0172946 ("Fan"), in combination with U.S. Patent No. 6,316,229 ("Lizardi"), renders
17 obvious U.S. Patent No. 7,955,794 ("the '794 patent"). *Id.* at 1. In response, Ariosa represents
18 that it will not argue at trial that the combination of Fan and Lizardi renders obvious any claim of
19 the '794 patent. Dkt. No. 553. Therefore, the Court DENIES the motion as moot.

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21 **IT IS SO ORDERED.**

22 Dated: January 3, 2018



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24 SUSAN ILLSTON
United States District Judge

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